APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/098,204	06/16/1998	HOWARD R. UDELL	200.1099	3784

23280   7590   04/19/2002

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EXAMINER
VU, THONG H

ART UNIT	PAPER NUMBER
2152	20

DATE MAILED: 04/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

_cd_

	Application No.	Applicant(s)
Advisory Action	09/098,204	UDELL ET AL.
	Examiner	**Art Unit**
	Thong H Vu	2152

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 05 April 2002 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may <u>only</u> be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

<u>PERIOD FOR REPLY</u> [check either a) or b)]

a) ☒ The period for reply expires _3_ months from the mailing date of the final rejection.

b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☒ A Notice of Appeal was filed on _05 April 2002_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.

2. ☐ The proposed amendment(s) will not be entered because:

    (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);

    (b) ☐ they raise the issue of new matter (see Note below);

    (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

    (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

    NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.

4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

5. ☒ The a)☐ affidavit, b)☐ exhibit, or c)☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: _see attache_.

6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.

7. ☒ For purposes of Appeal, the proposed amendment(s) a)☒ will not be entered or b)☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

    The status of the claim(s) is (or will be) as follows:

    Claim(s) allowed: _None_.

    Claim(s) objected to: _None_.

    Claim(s) rejected: _1-10,13-15 and 17-47_.

    Claim(s) withdrawn from consideration: _____.

8. ☐ The proposed drawing correction filed on _____ is a)☐ approved or b)☐ disapproved by the Examiner.

9. ☐ Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s) _____.

10. ☐ Other: _____

MARK H. RINEHART
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

I. The Hasen-Beck Combination:

1.   As per claims 1-10,13-15 and 17 –47 applicant argues the prior art deos not

teach the e-mail message, embedded function, automatically deleting a document.

Examiner notes the prior art discloses : Enhancing documents with embedded program

[Hansen title, page 25 col 2, page 27 col 2, page 28 col 2] multi media mail [Hansen

page 23 col 2] such as birthday card embedded a visible cake [Hansen page 30 col 2]

automatically delete a file such as by executing a program which cause delete a file or

virus attacks [Hansen page 28 col 2]. It is clearly the prior art taught a method using

Electronic message with embedded execute program which cause delete a file or virus

attacks.

2.   As per claims 18-43 applicant argues the prior art does not teach the encryption

element, creating a virtual container, extracting a digital object, transmitting a

destructible document. Examiner notes the prior art taught encryption element such as

C code [Hansen page 26 col 2]; creating a virtual container such as the visible cake

[Hansen page 30 col 2]; extracting a digital object such as the visible cake inset is

extended so mouse clicks on it can be intercepted or extracted the song text [Hansen

page 30 col 2].

3.   Applicant argues the prior art does not teach creating a script to delete a file.

Examiner notes the prior art taught when I execute a program written by someone else

it may do anything as I myself do, in particular, delete a file [Hansen page 28 col 2]. It is

obvious the program such as visible cake could delete a file, a song text or the whole

email as well as activate the virus in embedded object.

4.   As per claims 6,17 applicant argues the prior art does not teach deleting script or

executable file. Examiner notes the prior art taught the a program when execut may

delet a file [Hansen page 28]; a predetermined condition is selected such as the

condition of a visible cake.

II.The Drake-Norin Combination:

5.   As per claims 1-10,13-15 and 17-47 applicant argues the prior art does not teach

the code/program cause destruction. Examiner notes the prior art taught the self-

destruction code/program such as virues, Trojan horse.

As per claims 6,17 applicant argues the prior art does not teach the code/program

cause destruction. Examiner notes the prior art taught the self-destruction code/program

such as virues, Trojan horse.

6.   As per claims 20-43, applicant argues the prior art does not teach creating a

virtual container with header portion, a digital object portion, extracting a digital object

portion. Examiner notes the prior art taught the virtual container such as applicator

[Drake Fig 6] with header [Drake Fig 7,9,10] with digital object portion or code encrypted

[Drake Fig 9,10]

        Thus, as explained above, the system and method of claims 1-10,13-15,17-47 is

obvious in view of the prior art.

        Therefore the rejection is sustained.